

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 48**

Introduced By: Dierks, 40;  
Read first time: January 4, 2007  
Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to radiation; to amend sections 71-1734 and  
2 71-3508, Reissue Revised Statutes of Nebraska; to exempt  
3 certified registered nurse anesthetists from certain  
4 radiation-use qualifications; and to repeal the original  
5 sections.

6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 71-1734, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           71-1734. (1) The determination and administration of total  
4 anesthesia care shall be performed by the certified registered nurse  
5 anesthetist or a nurse anesthetist temporarily certified pursuant to  
6 section 71-1731 in consultation and collaboration with and with the  
7 consent of the licensed practitioner.

8           (2) The following duties and functions shall be considered  
9 as specific expanded role functions of the certified registered nurse  
10 anesthetist:

11           (a) Preanesthesia evaluation including physiological studies  
12 to determine proper anesthetic management and obtaining informed  
13 consent;

14           (b) Selection and application of appropriate monitoring  
15 devices;

16           (c) Selection and administration of anesthetic techniques;

17           (d) Evaluation and direction of proper postanesthesia  
18 management and dismissal from postanesthesia care; ~~and~~

19           (e) Evaluation and recording of postanesthesia course of  
20 patients; and -

21           (f) Administration of medication through the use of  
22 fluoroscopy to locate the precise point to inject such medication. For  
23 purposes of this subdivision, certified registered nurse anesthetists  
24 are not subject to the qualification requirements in the department's  
25 rules and regulations adopted and promulgated under subdivision  
26 (3)(a) of section 71-3508.

27           (3) The determination of other duties that are normally

1 considered medically delegated duties to the certified registered  
2 nurse anesthetist or to a nurse anesthetist temporarily certified  
3 pursuant to section 71-1731 shall be the joint responsibility of the  
4 governing board of the hospital, medical staff, and nurse anesthetist  
5 personnel of any duly licensed hospital or, if in an office or clinic,  
6 the joint responsibility of the duly licensed practitioner and nurse  
7 anesthetist. All such duties, except in cases of emergency, shall be  
8 in writing in the form prescribed by hospital or office policy.

9 Sec. 2. Section 71-3508, Reissue Revised Statutes of  
10 Nebraska, is amended to read:

11 71-3508. (1) The department shall require each person who  
12 possesses or uses a source of radiation to maintain records relating  
13 to its receipt, storage, transfer, or disposal and such other records  
14 as the department may require subject to such exemptions as may be  
15 provided by rules or regulations. These records shall be made  
16 available for inspection by or copies shall be submitted to the  
17 department on request.

18 (2) The department shall require each person who possesses  
19 or uses a source of radiation to maintain appropriate records showing  
20 the radiation exposure of all individuals for whom personnel  
21 monitoring is required by rules and regulations of the department.  
22 Copies of these records and those required to be kept by subsection  
23 (1) of this section shall be submitted to the department on request.  
24 Any person possessing or using a source of radiation shall furnish to  
25 each employee for whom personnel monitoring is required a copy of each  
26 employee's personal exposure record at any time such employee has  
27 received exposure in excess of the amount specified in the rules and

1 regulations of the department and upon termination of employment. A  
2 copy of the annual exposure record shall be furnished to the employee  
3 as required under rules and regulations adopted under the Radiation  
4 Control Act.

5 ~~(3)~~ (3)(a) The department may adopt and promulgate rules  
6 and regulations establishing qualifications pertaining to the  
7 education, knowledge of radiation safety procedures, training,  
8 experience, utilization, facilities, equipment, and radiation  
9 protection program that an individual user of sources of radiation  
10 shall possess prior to using any source of radiation or  
11 radiation-generating equipment.

12 (b) Individuals who are currently licensed in the State of  
13 Nebraska as podiatrists, chiropractors, dentists, physicians and  
14 surgeons, osteopathic physicians, physician assistants, and  
15 veterinarians shall be exempt from the rules and regulations of the  
16 department pertaining to the qualifications of persons for the use of  
17 X-ray radiation-generating equipment operated for diagnostic purposes.

18 Sec. 3. Original sections 71-1734 and 71-3508, Reissue  
19 Revised Statutes of Nebraska, are repealed.